

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. CR-21-139-SLP
)	
BRANDON ONEAL GWYNN,)	
)	
Defendant.)	

MOTION FOR DEFENDANT TO RETAIN DISCOVERY

Defendant Brandon Oneal Gwynn, who is detained, through counsel requests permission from the Court to retain certain items that were provided by the government in discovery.

(1) Local Criminal Rule 16.3 generally prohibits a detained defendant from possessing discovery, but allows for limited exception:

An incarcerated defendant may not retain a paper copy of any discovery unless, upon motion and a showing of good cause, the court orders the defendant be allowed to retain specifically enumerated discovery materials.

(2) Mr. Gwynn requests to retain copies of Bates-stamped pages **GWY_000016-29**. These consist of six reports describing the August 9, 2020 vehicle stop, arrests, and searches of the vehicle. They were prepared by Oklahoma County Sheriff's Office Deputies Zamudio, Williams, Barton, Gradick (two reports), and Lira. They were provided to the defense with personal identifiers redacted and Mr.

Gwynn does not seek disclosure of the redacted information.

(3) Mr. Gwynn requests to retain a copy of Bates-stamped page **GWY_000103**. This single page contains a preprinted diagram of an SUV or van interior, with markings made by law enforcement roughly depicting where they found items of evidentiary value, and describing those evidentiary items.

(4) Mr. Gwynn's basis for requesting his own copies of these materials is to be able to assist more actively and meaningfully in his own defense. Reading these materials only in the presence of the defense team, when they visit him, does not give him sufficient opportunity to digest and evaluate the information in these reports and diagram.

(5) AUSA Danielle Connolly informed undersigned counsel she objects to Mr. Gwynn's retention of discovery.

Relief Requested

Based on the foregoing showing of good cause, Mr. Gwynn requests this Court issue an order allowing him to retain the above-mentioned materials, in redacted form as they were originally provided to the defense.

Respectfully submitted,

s/ Julia C. Summers
JULIA C. SUMMERS, OBA #15851
Assistant Federal Public Defender

215 Dean A. McGee, Suite 109
Oklahoma City, OK 73102
Phone: (405) 609-5930
Fax: (405) 609-5932
E-mail: julia_summers@fd.org
COUNSEL FOR BRANDON O. GWYNN

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of March, 2022, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to Assistant United States Attorney Danielle Connolly.

s/ Julia C. Summers
JULIA C. SUMMERS